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**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**

19 **JULIA HUBBARD, et al.,**  
20 Plaintiffs,  
21 –against–  
22 **TRAMMELL S. CROW, JR., et al.,**  
23 Defendants.  
24  
25  
26  
27  
28

Case No.: 2:22-cv-7957-FLA-MAA

**PLAINTIFFS' MEMORANDUM  
OF POINTS AND AUTHORITIES  
IN OPPOSITION TO  
DEFENDANT WOODS'S  
MOTION TO DISMISS**

**TABLE OF CONTENTS**

PRELIMINARY STATEMENT .....	1
STATEMENT OF FACTS .....	2
LEGAL STANDARD .....	4
ARGUMENT.....	4
I.    WOODS PURPOSEFULLY AVOIDED HIMSELF OF CALIFORNIA JURISDICTION .....	5
II.   PLAINTIFFS’ CLAIMS ALL ARISE OUT OF WOODS’S ACTIVITIES DIRECTED TO CALIFORNIA .....	5
III.  THE COURT SHOULD, AT A MINIMUM, ALLOW JURISDICTIONAL DISCOVERY AS TO WOODS.....	5
CONCLUSION.....	6

## **TABLE OF AUTHORITIES**

### **Cases**

*Am. West Airlines, Inc. v. GPA Group, Ltd.*

877 F.2d 793 (9th Cir. 1989).....5

*Doe v. Am. Nat’l Red Cross*

112 F.3d 1048 (9th Cir. 1997).....4, 5

*Int’l Shoe Co. v. State of Wash., Off. of Unemployment Comp. & Placement*

326 U.S. 310 (1945) .....4

*Lazar v. Kroncke*

862 F.3d 1186 (9th Cir. 2017).....4

*Orchid Biosciences, Inc. v. St. Louis Univ.*

198 F.R.D. 670 (S.D. Cal. 2001).....5

*Wells Fargo & Co. v. Wells Fargo Exp. Co.*

556 F.2d 406 (9th Cir. 1977).....6

**PRELIMINARY STATEMENT**<sup>1</sup>

Defendant Dr. Michael Scott Woods, M.D. (“Woods”), with his co-conspirators, for years participated in a sex trafficking scheme (the “Venture”) that unlawfully trafficked Plaintiffs Julia Hubbard (“Hubbard”) and Kayla Goedinghaus (“Goedinghaus”), subjecting them to hundreds of forced commercial sex acts, as well as the beatings, threats, and misuse of medications needed to compel Hubbard and Goedinghaus to engage in such acts.

Woods provided the Venture with medications used to force Plaintiff Hubbard to engage in sex acts against her will. Defendant Richard Hubbard (“Rick Hubbard”) would force Plaintiff Hubbard to visit Woods and obtain the drug prescriptions identified by Defendant Dr. Benjamin Todd Eller (“Eller”), a Santa Monica-based psychologist. For this work, Rick Hubbard would pay Woods \$100 for each time that Plaintiff Hubbard visited Woods. The drugs that Woods prescribed included fluoxetine (Prozac), alprazolam (Xanax), and amitriptyline (an antidepressant). In 2017, Plaintiff Hubbard outright told Woods that she did not need the drugs he was prescribing, and that she was being forced by Rick Hubbard to engage in sex acts against her will. Woods took no action in response to Plaintiff Hubbard’s request for help, and also ignored Hubbard’s visible bruising and medical history of frequent injuries and surgeries made necessary by such injuries.

Plaintiffs do not seek to apply general jurisdiction in California to Woods, but Woods is subject to specific personal jurisdiction in California arising out of his actions directed to this State, as alleged in the Complaint. While residing in Texas, Woods carried out the bidding of Eller and Rick Hubbard in writing prescriptions for medication that Eller had “recommended” for Hubbard to the Venture in writing. Woods’s activities, availing himself of California’s jurisdiction, meet both of the requirements for specific personal jurisdiction to exist.

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<sup>1</sup> All capitalized terms are defined in the Complaint, Dkt. No. 1 (the “Complaint” or “Compl.”). Some terms are redefined herein for the Court’s convenience.

1 First, Woods purposefully availed himself of the protections of the State of  
2 California. Dr. Eller's role in the Venture was not only central, but also essential, and  
3 without it the Venture could not have existed. Eller, who was involved in the  
4 formation of the Venture at its earliest stages, assisted the Venture through the  
5 fraudulent use of his psychological practice, including allowing the Venture to  
6 procure large doses of highly potent and controlled drugs. These drugs were used by  
7 the Venture to force Plaintiff Hubbard to engage in commercial sex acts, both because  
8 (especially when Hubbard was forced to take them together in large doses) the drugs  
9 made it difficult for Plaintiffs to resist the Venture's demands, and because the drugs'  
10 addictive nature meant that the Venture could withhold the drugs as a further means  
11 to control Plaintiff Hubbard.

12 Second, Plaintiffs' claims here arise out of Woods's contacts with California.  
13 Had Eller not participated in the Venture, not only would the Venture not have  
14 existed, but Woods's specific role in the Venture—prescribing drugs that Eller had  
15 selected for Hubbard—would certainly not have existed.

16 At a minimum, the Court should permit jurisdictional discovery into Woods  
17 and his communications with Eller and Rick Hubbard, and his knowledge of Eller's  
18 role in the Venture. Due to the nature of the Venture—and assisted by the heavy  
19 medication that Plaintiff Hubbard was on due to Woods —Rick Hubbard and other  
20 Venture members took steps to conceal from Plaintiff Hubbard the details of the  
21 Venture's activities. Specifically, Rick Hubbard and Eller themselves would have  
22 concealed from Plaintiff Hubbard any communications they had with Woods  
23 concerning instructions they gave to Woods to prescribe medications for the  
24 Venture's interests, opposed to what was best medically for Plaintiff Hubbard.

25 The Court can and should properly exercise jurisdiction over Defendant  
26 Woods and deny his motion to dismiss on grounds of jurisdiction.

## STATEMENT OF FACTS

Plaintiff Hubbard married Defendant Rick Hubbard in February 2010. (Compl. ¶¶ 96–97.) Following an arrest later that year for financial fraud, Rick Hubbard became desperate for new financial opportunities. (Compl. ¶¶ 104–106.) Rick Hubbard then, along with Defendant Eller, and later, with key financing from Defendant Crow and his colleagues, formulated the Venture, which began to force Plaintiff Hubbard to perform sex acts for money. (Compl. ¶¶ 121–123.) The Venture forced Plaintiff Hubbard, through means that included Eller using his psychological practice, to claim that Hubbard had serious psychological issues and needed to be on high doses of drugs such as Xanax, Adderall, Oxycodone, Marinol, Soma, Lorezapan, Ambien, and Trazadone. (Compl. ¶¶ 123–24.) Certain of these drugs, when combined, are known as the “Holy Trinity” due to their potent effects when taken together. (Compl. ¶¶ 123–24.) This medication scheme made Plaintiff Hubbard, and, later, Plaintiff Goedinghaus—and likely others—pliable, and susceptible to other forms of threats and force. (Compl. ¶¶ 123–24.) Eller’s contributions to the Venture also involved swearing false affidavits claiming that both Plaintiffs were seriously psychiatrically troubled persons under his care. (Compl. ¶¶ 8–12.)

Woods is a medical doctor and psychiatrist who resides in Texas. (Compl. ¶¶ 67, 145.) Rick Hubbard paid him, with the other Medical Doctor Defendants—Dr. Melissa Miller, Dr. Joseph Bolin, and Dr. Mrugeshkumar Shah—to provide prescriptions for controlled medication to the Venture in order to assist in the force, threats, and coercion that the Venture applied to Plaintiffs in order to force them to perform commercial sex. (See Compl. ¶¶ 7–8, 15–16.) The Venture, through Rick Hubbard, would force Plaintiff Hubbard to visit Woods in order to obtain medication based on Eller’s “written recommendations” (made to the Venture so that Rick Hubbard would know what drugs to seek) in exchange for payment from the Venture. (See Compl. ¶ 139.) Woods prescribed numerous drugs to Plaintiff Hubbard,

1 including fluoxetine, alprazolam, and amitriptyline. (Compl. ¶ 121.) Woods  
 2 continued in these actions—receiving \$100 from the Venture through Rick Hubbard  
 3 for each time that Plaintiff Hubbard visited Woods—even though, in 2017, Hubbard  
 4 told Woods that she did not need the drugs that Woods was prescribing and she was  
 5 being forced to engage in sex against her will. (Compl. ¶¶ 143, 145.)

### 6 **LEGAL STANDARD**

7 A California court may exercise specific personal jurisdiction over a non-  
 8 resident defendant where a plaintiff shows that such defendant purposefully avails  
 9 himself of the privilege of transacting business in California and that the claims  
 10 against him arise from such purposeful availment, provided that the defendant cannot  
 11 show that. *Doe v. Am. Nat'l Red Cross*, 112 F.3d 1048, 1051 (9th Cir. 1997).

### 12 **ARGUMENT**

13 This Court can, and should, exercise specific personal jurisdiction over  
 14 Defendant Woods. As Woods admits (Dkt. No. 55 at 11), a court properly exercises  
 15 specific personal jurisdiction over a defendant when that defendant has minimal  
 16 contacts with the forum state. A defendant establishes such minimum contacts when  
 17 he (1) purposefully avails himself of the forum state and (2) the claim at issue arises  
 18 out of the defendant's forum-related activities. *Am. Nat'l Red Cross*, 112 F.3d at  
 19 1051; *see Int'l Shoe Co. v. State of Wash., Off. of Unemployment Comp. &*  
 20 *Placement*, 326 U.S. 310, 316 (1945) (recognizing due process necessity of  
 21 “minimum contacts” with the forum state). Plaintiffs satisfy both these prongs, such  
 22 that Woods is properly subject to the jurisdiction of this Court.

### 23 **I. WOODS PURPOSEFULLY AWAILED HIMSELF OF CALIFORNIA** 24 **JURISDICTION**

25 Woods purposefully availed himself of California jurisdiction through his  
 26 participation in the Venture and issuing of prescriptions to Plaintiff Hubbard. A  
 27 plaintiff “purposefully avails” himself of a forum when he avails himself “of the  
 28 privilege of conducting activities in the forum State, thus invoking the benefits and

1 protections of its laws.” *Lazar v. Kroncke*, 862 F.3d 1186, 1201–02 (9th Cir. 2017).

2 Here, Woods purposefully availed himself of California jurisdiction through  
3 his participation in the Venture, particularly in carrying out Eller’s instructions of  
4 medication for Plaintiff Hubbard, which Rick Hubbard forced her to consume in  
5 order to further the goals of the Venture. Woods either knew, or at a minimum should  
6 have known with the exercise of proper diligence, of Eller’s role in the Venture. By  
7 participating in the Venture—and effectively making out prescriptions at Eller’s  
8 direction—Woods knowingly availed himself of the benefits of California  
9 jurisdiction.

## 10 **II. PLAINTIFFS’ CLAIMS ALL ARISE OUT OF WOODS’S ACTIVITIES** 11 **DIRECTED TO CALIFORNIA**

12 Not only did Woods purposefully avail himself of California jurisdiction, but  
13 all of Plaintiffs’ claims against him arise out of those activities. Courts apply a “but  
14 for” causation test to determine “whether a plaintiff’s injury arises out of a  
15 defendant’s forum-related activities.” *Am. Nat’l Red Cross*, 112 F.3d at 1051. Here,  
16 none of Plaintiffs’ claims against Woods would have occurred but for Eller. While  
17 Woods is responsible for his own wrongful actions towards Plaintiffs, had Eller not  
18 been involved the Venture would not have existed, none of Plaintiffs’ claims against  
19 Woods would have arisen. Plaintiffs’ claims all arise, out of Woods’s activities  
20 directed at this State.

## 21 **III. THE COURT SHOULD, AT A MINIMUM, ALLOW** 22 **JURISDICTIONAL DISCOVERY AS TO PRUITT**

23 At a minimum, the Court should allow limited jurisdictional discovery into  
24 communications between Woods and Rick Hubbard and Woods’s actual knowledge  
25 of Eller, his location, and his role in the Venture. Granting of jurisdictional discovery  
26 is within the sound discretion of the Court, and appropriate where “pertinent facts  
27 bearing on the question of jurisdiction are in dispute.” *Orchid Biosciences, Inc. v. St.*  
28 *Louis Univ.*, 198 F.R.D. 670, 672 (S.D. Cal. 2001) (quoting *Am. West Airlines, Inc.*



1 *v. GPA Group, Ltd.*, 877 F.2d 793, 801 (9th Cir. 1989)). Such discovery is appropriate  
 2 except where a Defendant can show that “it is clear that further discovery would *not*  
 3 demonstrate facts sufficient to constitute a basis for jurisdiction.” *Id.* at 674 (emphasis  
 4 added) (quoting *Wells Fargo & Co. v. Wells Fargo Exp. Co.*, 556 F.2d 406, 430 n.24  
 5 (9th Cir. 1977)).

6 Here, the Court should respectfully find that it has personal jurisdiction over  
 7 Woods, but at a minimum the Court should allow jurisdictional discovery into  
 8 communications between Woods and Eller, as well as Rick Hubbard, and Woods’s  
 9 own knowledge of Eller, Eller’s location in California, and Eller’s central role in the  
 10 Venture, including his role in “recommending” medication for Plaintiff Hubbard.  
 11 While the Venture took steps to conceal from Plaintiffs the workings on the Venture,  
 12 as detailed in the complaint, Eller did regularly hold himself out in writing as the  
 13 Plaintiffs’ psychologist, including (at least in the case of Plaintiff Goedinghaus)  
 14 expressing an opinion as to their psychological diagnosis. (Compl. ¶ 140; *see id.*  
 15 ¶¶ 131–139.) If Eller either communicated directly with Woods, or if Rick Hubbard  
 16 (or another member of the Venture) provided Woods with information from Eller  
 17 which Woods relied upon in treating Plaintiff Hubbard, then Woods would have been  
 18 aware of Eller’s role in the Venture, as further evidence that Woods directed his  
 19 activity (from which Plaintiffs’ claims arise) towards California.

## 20 CONCLUSION

21 Woods knowingly participated in and benefitted from a sex trafficking scheme  
 22 which he knew or should have known had a nexus in California, through Defendant  
 23 Dr. Eller, whom he directly assisted through the prescribing of drugs to Plaintiff  
 24 Hubbard that had been selected by Eller. Through this, both Eller and Woods had a  
 25 crucial role in the Venture and in causing Plaintiff Hubbard to be forced, threatened,  
 26 and coerced into commercial sex acts. In this way, Woods purposefully availed  
 27 himself of the jurisdiction of California, and all of Plaintiffs’ claims here arise from  
 28 that availment.

1 For these reasons, and all those other foregoing reasons, the Court should  
2 respectfully deny Woods's motion to dismiss, or at a minimum allow Plaintiffs  
3 jurisdiction discovery into Woods and his relevant knowledge of Eller.

4  
5  
6 Dated: New York, New York

7 February 22, 2023

8  
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**CERTIFICATION OF SERVICE**

The undersigned hereby certifies that on this date, the foregoing document filed electronically using the Court's CM/ECF System are served on counsel of record pursuant to the Federal Rules of Civil Procedure through the Court's Notice of Electronic Filing generated by the CM/ECF System, per L.R. 5-3.2.1.

Dated: New York, New York

February 22, 2023.

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By: 

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